

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division

UNITED STATES OF AMERICA,	*	
Plaintiff,	*	
	*	
v.	*	
	*	
5 JENKINS ROAD, etc.,	*	
Defendant.	*	
	*	Civil No. L-02-3697
and	*	
	*	
WAYNE M. BYERLY,	*	
Claimant,	*	
	*	
and	*	
	*	
GMAC MORTGAGE CORPORATION,	*	
Claimant.	*	
	*	
		...ooo0ooo...

AMENDED FINAL ORDER OF FORFEITURE

Upon review of the government's motion for an amended order of forfeiture, which was filed with the apparent concurrence of the interested parties:

IT IS ORDERED, ADJUDGED, AND DECREED on this _____ day of September 2006 that:

1. By order dated February 16, 2006, this Court granted summary judgment in favor of the United States of America;
2. The United States of America has provided constructive notice by publication of the pendency of this forfeiture action;
3. The time for the filing of any claim to contest this forfeiture expired, and no claim was filed, other than one filed by Wayne Byerly and one filed by GMAC Mortgage;

4. Claimant Byerly has agreed to provide a check that will stand as a substitute for the defendant property for the purposes of disposition, and to forfeit his interests in that substitute defendant check. Claimant Byerly has also agreed that the GMAC Mortgage shall continue in full force and effect until satisfied. Consequently, all interests have been addressed. The government has agreed to release the defendant property once that settlement amount is paid to the government.

5. The substitute defendant check is hereby condemned and all rights, title, and interest of Wayne Byerly and any and all other persons in those funds are hereby forfeited to the United States of America; and

6. The United States Marshals Service shall dispose of the defendant property and the substitute defendant check in accordance with law and in accordance with the settlement agreement that is annexed as **Exhibit B** to the government's motion.

Benson Everett Legg
Chief United States District Judge